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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/798,272

03/12/2004

Kil-soo Jung

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7590

08/23/2006

STEIN, MCEWEN & BUI, LLP
1400 EYE STREET, NW
SUITE 300
WASHINGTON, DC 20005

EXAMINER

LEWIS, CHERYL RENE A

ART UNIT

PAPER NUMBER

2167

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/798,272	Applicant(s) JUNG ET AL.	
	Examiner Cheryl Lewis	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>23 August 2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-40 are presented for examination.

PRIORITY

2. Applicant has complied and receives the benefit of priority of an earlier filing date under 35 U.S.C. 119(a-d) to Korean Patent Application 2003-15693 filed March 13, 2003.

INFORMATION DISCLOSURE STATEMENT

3. The information disclosure statements filed on August 23, 2004, complies with the provisions of MPEP § 609. They have been placed in the application file, and the information referred to therein has been considered as to the merits.

Trademark or Trade Name as a Limitation in the Claim

4. Claims 7, 20, 21, and 22 contain the trademark/trade name "WINDOWS media player". Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph See Ex parte Simpson, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus,

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a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name "WBJINS" is used to identify/describe an editing process of information within a magazine and, accordingly, the identification/description is indefinite (page 8, lines 8-10 of the specification).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Deutsch et al. (Pat. No. 6,631,403 B1 filed May 11, 1999, hereinafter Deutsch).

7. Regarding Claims 1, 9, 15, 23, 29, 30, and 31, Deutsch teaches an architecture and application programming interfaces for java-enabled mpeg-4 (mpeg-j) systems.

The method and associated system for architecture and application programming interfaces for java-enabled mpeg-4 (mpeg-j) systems as taught or suggested by Deutsch includes:

a synchronized multimedia element determining unit, which determines whether multimedia elements included in the interactive contents are synchronized with audio

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visual (AV) contents (col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-67, col. 13, lines 1-67, col. 14, lines 1-67, col. 15, lines 1-67, col. 16, lines 1-67, col. 17, lines 1-67, col. 18, lines 1-67, col. 19, lines 1-67); and an application program interface (api) transmitting unit, which transmits an api corresponding to an interactive control command to an av contents reproducing engine that reproduces the av contents and a synchronized multimedia element reproducing engine that reproduces the multimedia elements that are determined to be synchronized with the av contents by the synchronized multimedia element determining unit (col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-67, col. 13, lines 1-67, col. 14, lines 1-67, col. 15, lines 1-67, col. 16, lines 1-67, col. 17, lines 1-67, col. 18, lines 1-67, col. 19, lines 1-67).

8. Regarding Claims 2 and 16, Deutsch teaches av contents are digital versatile disk (dvd) contents and interactive contents are expressed by a markup document and/or are resources referred to in the markup document (col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-67, col. 13, lines 1-67, col. 14, lines 1-67, col. 15, lines 1-67, col. 16, lines 1-67, col. 17, lines 1-67, col. 18, lines 1-67, col. 19, lines 1-67).

9. Regarding Claims 3 and 17, the limitations of this claim has been noted in the rejection of claim 1 presented above. In addition, Deutsch teaches the av contents and determines whether the multimedia elements include interactive contents synchronized with av contents the information being included in meta tags (col. 6, lines 1-67, col. 7,

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lines 1-67, col. 8, lines 1-67, col. 9, lines 1-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-67, col. 13, lines 1-67, col. 14, lines 1-67, col. 15, lines 1-67, col. 16, lines 1-67, col. 17, lines 1-67, col. 18, lines 1-67, col. 19, lines 1-67).

10. Regarding Claims 4 and 18, Deutsch teaches a document object model (col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-67, col. 13, lines 1-67, col. 14, lines 1-67, col. 15, lines 1-67, col. 16, lines 1-67, col. 17, lines 1-67, col. 18, lines 1-67, col. 19, lines 1-67).

11. Regarding Claims 5 and 19, Deutsch teaches an interactive control command is a play command (col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-67, col. 13, lines 1-67, col. 14, lines 1-67, col. 15, lines 1-67, col. 16, lines 1-67, col. 17, lines 1-67, col. 18, lines 1-67, col. 19, lines 1-67).

12. Regarding Claims 6 and 20, Deutsch teaches a real player (col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-67, col. 13, lines 1-67, col. 14, lines 1-67, col. 15, lines 1-67, col. 16, lines 1-67, col. 17, lines 1-67, col. 18, lines 1-67, col. 19, lines 1-67).

13. Regarding Claims 7 and 21, Deutsch teaches audio files (col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-67, col. 13, lines 1-67, col. 14, lines 1-67, col. 15, lines 1-67, col. 16, lines 1-67, col. 17, lines 1-67, col. 18, lines 1-67, col. 19, lines 1-67).

14. Regarding Claims 8 and 22, the limitations of this claim has been noted in the rejections of claims 1 and 3 presented above. It is therefore rejected as set forth above.

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15. Regarding Claim 10, Deutsch teaches downloading from the Internet (col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-67, col. 13, lines 1-67, col. 14, lines 1-67, col. 15, lines 1-67, col. 16, lines 1-67, col. 17, lines 1-67, col. 18, lines 1-67, col. 19, lines 1-67).

16. Regarding Claims 11 and 12, Deutsch teaches contents read by the contents reading unit (col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-67, col. 13, lines 1-67, col. 14, lines 1-67, col. 15, lines 1-67, col. 16, lines 1-67, col. 17, lines 1-67, col. 18, lines 1-67, col. 19, lines 1-67).

17. Regarding Claims 13 and 14, Deutsch teaches contents buffer and determines whether the multimedia elements included in the interactive contents are synchronized with the av contents (col. 6, lines 1-67, col. 7, lines 1-67, col. 8, lines 1-67, col. 9, lines 1-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-67, col. 13, lines 1-67, col. 14, lines 1-67, col. 15, lines 1-67, col. 16, lines 1-67, col. 17, lines 1-67, col. 18, lines 1-67, col. 19, lines 1-67).

18. Regarding Claims 24-28 and 32-40, the limitations of these claims have been noted in the rejections above. They are therefore rejected as set forth above.

NAME OF CONTACT

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

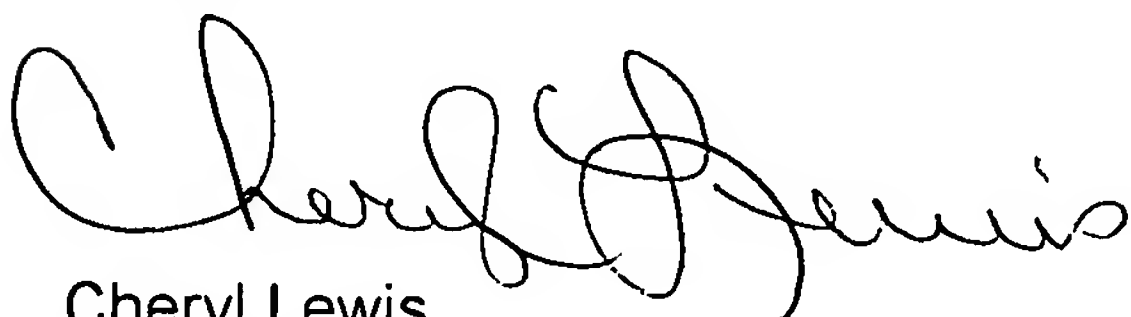
(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Cheryl Lewis". The signature is fluid and cursive, with the first name "Cheryl" being more prominent than the last name "Lewis".

Cheryl Lewis
Patent Examiner
August 19, 2006